

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE PETITION OF MINNTUCK ENERGY)	
CORPORATION FOR A CERTIFICATE OF)	
CONVENIENCE AND NECESSITY TO)	
CONSTRUCT THE GAS SYSTEM,)	
APPROVAL OF FINANCING, INITIAL)	CASE NO. 98-610
RATES AND THE OPERATION OF A)	
NATURAL GAS DISTRIBUTION SYSTEM)	
IN CLINTON COUNTY, KENTUCKY AND)	
INTO MONTICELLO, KENTUCKY)	

O R D E R

On November 19, 1998, Minntuck Energy Corporation (Minntuck) tendered for filing a petition for a certificate of convenience and necessity to construct a natural gas distribution system. This proposed gas system would be located in Metcalfe, Cumberland, Clinton and Wayne counties in Kentucky.

On December 15, 1998, the Secretary of the Commission notified Minntuck that it had not met the filing requirements for such an application. The Secretary requested that Minntuck review the filing requirements contained in 807 KAR 5:001, Sections 8, 9, and 10, and KRS 278.300. The Secretary further informed Minntuck that its application would not be considered filed until the required information, or a request for a waiver therefrom, was submitted to the Commission. The Secretary requested that the information be filed within 30 days from December 15, 1998.

On January 15, 1999, Minntuck filed a response to the Secretary's letter in which Minntuck requested an indefinite time period in which to file the required information.¹ The letter indicated that Minntuck had not completed a feasibility study or engineering study on the project. On January 15, 1999, a motion to intervene in the matter was filed by Gasco Distribution Systems, Inc. The Commission will consider Minntuck's letter of January 15, 1999 as a motion for extension of time to file information.

The Commission finds that the tendered petition of Minntuck does not meet the requirements for a filing as set out in 807 KAR 5:001. The Commission finds that the request of Minntuck for an extension of time should be granted. However, the request for an indefinite time, renewable on a monthly basis, should not be granted.

The Commission finds that Minntuck is required to attach a copy of its Articles of Incorporation to its petition as required by 807 KAR 5:001, Section 8(3).

IT IS THEREFORE ORDERED that:

1. The request of Minntuck for an extension of time from January 15, 1999 is granted.
2. Minntuck shall file such information as is required in KRS 278.300 and 807 KAR 5:001, Sections 8, 9, and 10, on or before March 12, 1999.
3. Minntuck shall file its Articles of Incorporation and a list of its corporate officers within 10 days of the date of this Order.

¹ January 11, 1999 Letter from Minntuck to Executive Director, PSC.

Done at Frankfort, Kentucky, this 8th day of February, 1999.

By the Commission

ATTEST:

Executive Director